

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

JACKIE LEE CARPENTER

§

VS.

§

CIVIL ACTION NO. 9:16cv6

CHRISTINE LANE, ET AL.

§

ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Jackie Lee Carpenter, proceeding *pro se*, filed the above-styled civil rights lawsuit against Christine Lane, William Agnew, Jr., Tory Mach and Dean Watts.

The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of this Court. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that the claims against defendants Lane, Agnew and Watts be dismissed.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. Petitioner filed objections to the Report and Recommendation.

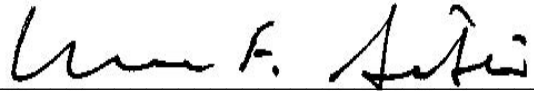
The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion the objections are without merit. The Magistrate Judge correctly concluded defendant Lane is entitled to absolute prosecutorial immunity. Moreover, defendants Agnew and Watts, as criminal defense attorneys, did not act under color of state law. As a result, the Magistrate Judge correctly recommended that the claims against defendants Lane, Agnew and Watts be dismissed.

ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is

ADOPTED as the opinion of the court. The claims against defendants Lane, Agnew and Watts are
DISMISSED WITH PREJUDICE.

SIGNED this the 26th day of June, 2017.

A handwritten signature in black ink, appearing to read "Keith F. Giblin", written over a horizontal line.

KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE